

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

IN RE PATENT APPLICATION OF)
Sweezer, et al.)
Serial No. 08/566,405)
Filing Date: 12/01/95)
Title: CATHETER SYSTEM AND)
METHOD FOR VENTING THE)
LEFT VENTRICLE)

Examiner: Unassigned
Group Art Unit: Unknown

POWER OF ATTORNEY BY ASSIGNEE
TO EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71
WITH REVOCATION OF PRIOR POWERS

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

The undersigned ASSIGNEE of the entire interest in the above-identified application for letters patent hereby appoints Frederick Gotha, Attorney at Law, Reg. No. 27,693 to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. section 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

☒ a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or

☐ the Assignment recorded on _____ at reel _____, frames _____ - _____.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all telephone calls to Frederick Gotha, (818) 796-1849.

855030-4226060

Parameter	1990-1991		1991-1992		1992-1993		1993-1994		1994-1995		1995-1996		1996-1997		1997-1998		1998-1999		1999-2000		2000-2001		2001-2002		2002-2003		2003-2004		2004-2005		2005-2006		2006-2007		2007-2008		2008-2009		2009-2010		2010-2011		2011-2012		2012-2013		2013-2014		2014-2015		2015-2016		2016-2017		2017-2018		2018-2019		2019-2020		2020-2021		2021-2022		2022-2023		2023-2024		2024-2025		2025-2026		2026-2027		2027-2028		2028-2029		2029-2030		2030-2031		2031-2032		2032-2033		2033-2034		2034-2035		2035-2036		2036-2037		2037-2038		2038-2039		2039-2040		2040-2041		2041-2042		2042-2043		2043-2044		2044-2045		2045-2046		2046-2047		2047-2048		2048-2049		2049-2050		2050-2051		2051-2052		2052-2053		2053-2054		2054-2055		2055-2056		2056-2057		2057-2058		2058-2059		2059-2060		2060-2061		2061-2062		2062-2063		2063-2064		2064-2065		2065-2066		2066-2067		2067-2068		2068-2069		2069-2070		2070-2071		2071-2072		2072-2073		2073-2074		2074-2075		2075-2076		2076-2077		2077-2078		2078-2079		2079-2080		2080-2081		2081-2082		2082-2083		2083-2084		2084-2085		2085-2086		2086-2087		2087-2088		2088-2089		2089-2090		2090-2091		2091-2092		2092-2093		2093-2094		2094-2095		2095-2096		2096-2097		2097-2098		2098-2099		2099-2100		2100-2101		2101-2102		2102-2103		2103-2104		2104-2105		2105-2106		2106-2107		2107-2108		2108-2109		2109-2110		2110-2111		2111-2112		2112-2113		2113-2114		2114-2115		2115-2116		2116-2117		2117-2118		2118-2119		2119-2120		2120-2121		2121-2122		2122-2123		2123-2124		2124-2125		2125-2126		2126-2127		2127-2128		2128-2129		2129-2130		2130-2131		2131-2132		2132-2133		2133-2134		2134-2135		2135-2136		2136-2137		2137-2138		2138-2139		2139-2140		2140-2141		2141-2142		2142-2143		2143-2144		2144-2145		2145-2146		2146-2147		2147-2148		2148-2149		2149-2150		2150-2151		2151-2152		2152-2153		2153-2154		2154-2155		2155-2156		2156-2157		2157-2158		2158-2159		2159-2160		2160-2161		2161-2162		2162-2163		2163-2164		2164-2165		2165-2166		2166-2167		2167-2168		2168-2169		2169-2170		2170-2171		2171-2172		2172-2173		2173-2174		2174-2175		2175-2176		2176-2177		2177-2178		2178-2179		2179-2180		2180-2181		2181-2182		2182-2183		2183-2184		2184-2185		2185-2186		2186-2187		2187-2188		2188-2189		2189-2190		2190-2191		2191-2192		2192-2193		2193-2194		2194-2195		2195-2196		2196-2197		2197-2198		2198-2199		2199-2200		2200-2201		2201-2202		2202-2203		2203-2204		2204-2205		2205-2206		2206-2207		2207-2208		2208-2209		2209-2210		2210-2211		2211-2212		2212-2213		2213-2214		2214-2215		2215-2216		2	
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Date: 06/10/96

CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8
I hereby certify that this paper is being deposited in the
United States mail as first class mail with postage prepaid,
and is addressed to: The Commissioner of Patents and Trademarks
Washington, DC 20231. Such service was made on

DATE: 9/24/96

BY: Quik

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application to

SWEEZER, *et al.*

Application No.: 08/566,405

Filed: December 1, 1995

For: CATHETER SYSTEM AND
METHOD FOR VENTING
THE LEFT VENTRICLE

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

POWER OF ATTORNEY BY ASSIGNEE (REVOCATION OF PRIOR POWERS)

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

As assignee of record of the entire interest of the above-identified patent,

REVOCATION OF PRIOR POWERS OF ATTORNEY

all powers of attorney previously given are hereby revoked and

NEW POWER OF ATTORNEY

the following attorneys and/or agents are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

Jeffry J. Grainger, Reg. No. 36,815
Jens E. Hoekendijk, Reg. No. 37,149
Michael L. Louie, Reg. No. 36,988
James M. Heslin, Reg. No. 29,541

SEND CORRESPONDENCE TO:	DIRECT TELEPHONE CALLS TO:
Jens E. Hoekendijk HEARTPORT, INC. 200 Chesapeake Drive Redwood City, California 94063 (415) 306-7900	JENS E. HOEKENDIJK (415) 306-7900 X215

ASSIGNEE CERTIFICATION

Attached to this power is a "CERTIFICATE UNDER 37 CFR 3.73(b)."

19 Sept. '96
Date



Dick Brewer
Executive Vice President, Operations

090900Z SEPT 96

Applicant: **SWEEZER, et al.**

Application No. **08/566,405**

Filed: **December 1, 1995**

For: **CATHETER SYSTEM AND METHOD FOR VENTING THE LEFT VENTRICLE**

Heartport, Inc., a Delaware Corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of a chain of title from the inventors of the patent application identified above, to the current assignee as shown below:

- 1) From: William P. Sweezer, Ronald L. Coleman and Walter W. Larkins, III
To: Endosurgical Development Corp.

A copy of the Assignment and Recordation Form Cover Sheet are attached.

- 3) From: Endosurgical Development Corp.
To: Heartport, Inc.

A copy of the Assignment is attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 19 Sept. '96

Signature: _____


Dick Brewer
Executive Vice President, Operations

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ENT

5-66-2/ Heartport No. 073-CP

[illegible]

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, **Endosurgical Development Corp.**, a California corporation, having its principal place of business at 526A Irene Avenue, Redondo Beach, CA 90277, hereinafter referred to as "Assignor," is the owner of the invention described and set forth in the below-identified United States patent application:

Title of the Invention: CATHETER SYSTEM AND METHOD FOR VENTING THE LEFT VENTRICLE

Application No.: 08/566,405

Inventor: Sweezer, *et al.*

Filing Date: December 1, 1995

WHEREAS, **HEARTPORT, INC.**, a Delaware corporation, located at 200 Chesapeake Drive, Redwood City, California 94063, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and patent application:

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and patent application and to all foreign counterparts (including patent, utility model and industrial designs), and all future improvements thereon, and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world. The right, title and interests to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this assignment not been made, for the full term of any Letters Patent issuing on the patent application or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that it will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has signed its name on the date indicated.

Endosurgical Development Corp.

by:

Signature

Jeff Kadan

Name (type or print)

President and CEO

Title

Signature

Frederick Gotha

Name (type or print)

Secretary

Title

Date

Date

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

WILLIAM P. SWEETZER, JR.
RONALD COLEMAN
WALTER W. LARKINS, III

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: 06/07/96

2. Name and address of receiving party(ies):

Name: ENDOSURGICAL DEVELOPMENT CORPORATION

Internal Address: _____

Street Address: 526 A IRENA AVE.City: REDONDO BEACH State: CA ZIP: 90277Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

- (1) 08/566,405 FILED 12/01/95
(2) 08/566,298 FILED 12/01/95

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: FREDERICK GOTHIA, ESQ.

Internal Address: _____

Street Address: 80 S. LAKE AVE. SUITE 823City: PASADENA State: CA ZIP: 911016. Total number of applications and patents involved: 27. Total fee (37 CFR 3.41):..... \$ 80.00☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number: _____

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

FREDERICK GOTHIA

Name of Person Signing

Frederick Gothia

Signature

06/10/96

Date

Total number of pages comprising cover sheet:

OMB No. 0651-0011 (exp. 4/94)

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Box Assignments
Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

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JOINT TO CORPORATE ASSIGNMENT

WHEREAS, the undersigned,

(1) William P. Sweezer, Jr.

(2) Ronald Coleman

(3) Walter W. Larkins, III

(hereinafter termed "Inventors"), residents of

(1) 3443 Stage Coach Drive

(2) 831 61st Avenue

(3) 1988 Rolling Vista Drive, #20

respectively, Cities of

(1) Lafayette

(2) Oakland

(3) Lomita

respectively, States of

(1) California

(2) California

(3) California

respectively, have invented certain new and useful improvements in

CATHETER SYSTEM AND METHOD FOR VENTING THE LEFT VENTRICLE

and have executed a declaration or oath for an application for a United States patent disclosing and identifying the invention:

On the

(1) ____ day of ____, 1995;

(2) ____ day of ____, 1995;

respectively;

Or

X Said application having SC/Serial Number 08/566,405 and filed on 12/01/95.

WHEREAS Endosurgical Development Corporation (hereinafter termed "Assignee"), a corporation of California, having a place of business at 526A Irena Avenue, Redondo Beach, California 90277, wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said inventors (all collectively hereinafter termed "said inventors"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by each of said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey to said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any or all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any

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"Ex parte" serial number GB38898722
Date of filing June 11, 1986
I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as filed with the
Commissioner of Patents and Trademarks, Washington, D.C.
20231.
Frederick Gotha

Frederick Gotha

0902374426060

application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed and delivered this instrument to said Assignee on the date of acknowledgment before the Notary Public as given below.

(1)

William P. Sweezer, Jr.

(1)

State of California

County of Contra Costa

On 6/7/96 before me, Joel Resnikoff, Notary Public, personally appeared William P. Sweezer, Jr., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Joel Resnikoff
Signature



(2) Ronald Coleman
Ronald Coleman 6/7/96

(2) State of _____)
County of _____)

On _____ before me, _____, personally
appeared _____, personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal. _____
Signature

(3) Walter W. Larkins, III
Walter W. Larkins, III 6/7/96

(3) State of _____)
County of _____)

On _____ before me, _____, personally
appeared _____, personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal. _____
Signature